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6 IN THE UNITED STATES DISTRICT COURT
7
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 ROY L. MORRISON,

10 Plaintiff,

No. C 05-04351 JSW

11 v.

12 ATTORNEY GENERAL OF THE UNITED
13 STATES DEPARTMENT OF JUSTICE
14 ALBERTO GONZALES and THE FEDERAL
BUREAU OF PRISONS and DOES 1-10,
inclusive,

15 Defendants.
16 _____/

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE**

17 On July 11, 2005, Plaintiff filed the complaint in this action in the United States District
18 Court for the Central District of California. On October 25, 2005, this Court received the case
19 pursuant to a stipulation to transfer the matter to this district.

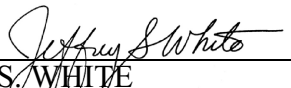
20 On December 23, 2005, Defendants filed a motion to dismiss and noticed that motion
21 for a hearing on January 27, 2006. Pursuant to Northern District Civil Local Rule 7-3(a),
22 Plaintiff's opposing brief would have been due on January 6, 2006. No such brief was filed. On
23 January 13, 2006, Defendants filed their reply brief noting the lack of opposition to the motion.
24 In addition to reiterating arguments raised in their motion, Defendants also set forth facts which
25 suggest that Plaintiff has not been diligent in prosecuting this case.

26 Accordingly, PLAINTIFF IS HEREBY ORDERED TO SHOW CAUSE, in writing, why
27 the case should not be dismissed for failure to prosecute. Plaintiff's response shall be due on
28 January 20, 2006. Defendants may file a response on January 24, 2006. This matter shall

1 remain on the Court's January 27, 2006, law and motion calendar. If Plaintiff fails to comply
2 with this Order, the matter shall be dismissed.

3 **IT IS SO ORDERED.**

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5 Dated: January 13, 2006


6 JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California